





THE SLAVERY QUESTION.

S P E E C H O F HON. JOHN M. LANDRUM, OF LA.,

DELIVERED IN

THE HOUSE OF REPRESENTATIVES, APRIL 27, 1860.

The House being in the Committee of the Whole on the state of the Union—

Mr. LANDRUM said :

MR. CHAIRMAN: That we are now threatened with great and alarming evils, no one who will take a calm and unprejudiced survey of the condition of the country can for a moment doubt. In the formation of this Government there existed a spirit of harmony and concession from the citizens of each State in this Union towards the citizens of every other State; and this spirit was so plainly exhibited in the convention which framed the Constitution of the United States—that it was so adjusted, so adapted to the wants of all the States entering into the Confederacy—that it received the almost unanimous support of the Convention. Harmony and concord and good feeling reigned throughout the whole Confederacy. The citizen of South Carolina rejoiced in the prosperity and commended the virtues of the citizen of Massachusetts; and the citizen of Massachusetts responded to the feeling of the citizen of South Carolina. That was the feeling which pervaded the citizens of this common country when the Constitution was formed: and that was the spirit which pervaded it for the thirty years afterwards during which the Government was administered by the fathers of the Republic.

But now, Mr. Chairman, what state of things does this country exhibit? A people discordant: a great sectional party formed, and the whole history of the country ransacked in a search for subjects of denunciation on the part of citizens of one portion of the Confederacy against citizens of the other.

In that convention which framed the Constitution, which is the basis of our Government, slave States were admitted without objection. Concessions were made to slave States on every point that they demanded, and which they deemed essential to the preservation and protection of their rights in this Union. Ay, there was no objection then to the admission of a State into the Union because she permitted slavery. So far from that, the Constitution abounds with express provisions for the protection of their property, and for the security of their rights. It was not objected to a free State that she should form a member of the Confederacy because she did not tolerate slavery. But the patriotic founders of the Republic looked to the interests of the whole country, and sacrificed prejudices whenever sacrifices were necessary, “*in order to form a more perfect union.*”

Contrast that state of feeling and that state of facts with the condition in which we now see the country. Mutual denunciation is the business even of the Representatives of the people on the floor of this Hall. Members of Congress recommend the circulation of books calculated to sap and undermine the foundations on which the whole fabric of wealth, of respectability, and of civilization, of one-half the Union is based. We meet here, not to strengthen the bonds that bind us together in the Union, but to weaken them, as far as human ingenuity can do so. To such a point has this state of things culminated, that the people of State after State in the Southern portion of the Confederacy have met in convention and declared their belief that there is a probability that the time is rapidly approaching when they “*must provide new guards for their future security.*” The State which I have the honor in part to represent has made that declaration. And it is charged here on the floor of this Hall, by almost every member of the Republican party who has addressed this committee on the subject of the state of the Union, that it is the Democratic party which is responsible for this condition of things; that the Democratic party have departed from the lessons of wisdom taught us by the example of our forefathers, and have thus precipitated on the country all these evils, by the manner in which they have treated the slavery question.

It shall be my purpose, Mr. Chairman, in the short time allotted to me, to endeavor to vindicate from the charge that party of which I am an humble member. The district which I represent, and the State in which that district is situated, are Democratic by an overwhelming majority; and I assert here, and am prepared to prove uncontestedly, that the Democratic party are not the authors of the mischief under which the country labors. I am prepared to prove that they have not departed from the lessons of wisdom inculcated by the example of the founders of the Republic. I will show, if history does not lie, that it is the Republican party, the anti-slavery party, that is the cause of all the evils with which the country is afflicted; and it is they, and not the Democratic party, who have abandoned the legislative precedents and examples of our fathers.

Why, sir, how are we responsible for the slavery agitation that has produced all the evils and mischief which afflict the country?

How is the Democratic party responsible for that excitement, and for the difference of opinion which pervades the Republic on that subject, threatening a dissolution of the Union? Why, we are responsible for it because we do not join the Republican party to exclude slavery from the Territories? We are responsible for it because we do not oppose the admission of a State into the Union when her constitution tolerates slavery. We are responsible for it because we do not join in the declaration that all men are created free and equal, and apply that doctrine to the African slaves of the South; because we do not declare that those slaves are equal to us, and therefore of right free.

We are required by the Republican party to unite with them in advocating that doctrine, and to declare besides that slavery and polygamy are twin relics of barbarism. If we join them in all these declarations of principle; if we join them in advocating these measures, then, of course, the country will be quiet. But, sir, who is responsible for the agitation? Is it not the party that calls for legislation? Has the Democratic party ever asked the national Legislature to establish slavery in her Territory? No, sir; but the Republican party comes into this Hall and demands that the power of the Government should be interposed to exclude slavery from the Territories. Because we do not agree with them; because we do not think as they do; and because we do not vote as they do; because we do not acquiesce in these propositions, why, then we are responsible for this agitation, and they are not! They ask us to adopt the maxim that no more slave States shall be admitted into the Union, and because we do not agree with them on that subject, we are the agitators, and they are not.

Mr. Chairman, from what source do we learn this new doctrine? Do we find it in the legislation of our forefathers? Are there any restrictions in the Constitution of the United States on the subject, or any grant of power to prohibit slavery in a Territory when that Territory is organized? Is there anything in the Constitution of the United States to justify it—and I appeal to that as the very first example of our forefathers in the administration of this Government—is there anything in that instrument which authorizes you to say that a State shall not be admitted into the Union because its constitution tolerates slavery?

I differ from gentlemen upon the Republican side of the House as to the manner in which I would learn a lesson from the example of our forefathers. I would not search for it in their private declarations. I would search for their legislative record. We are legislators, and for our legislation we want legislative precedents. I care not whether the opinions of the founders of the Republic were for slavery or against it, if the legislation of which they were the authors corresponded with the views I entertain. What judge of any court, what lawyer who wished to ascertain the true doctrine of a case, would search for the private opinions of the judge when the reports bristled with adjudicated cases from which he could learn the true doctrine which he had expressed under oath and in the discharge of his duties? When you search for the opinions of our ancestors to guide us as legislators, look at their conduct as legislators, and not their private opinions. Every lawyer, every sensible man, every rational man, knows that that is the true test of the opinions of our ancestors upon a given subject. When they legislate under oath; when they legislate for the good of the whole country, they lay aside their private opinions and their peculiar prejudices.

Now, sir, what do we find in the Constitution of the United States which inculcates the doctrine that slavery must not be extended into the Territories? I call the attention of gentlemen to the first clause of section nine, article one of the Constitution:

"The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed upon such importation, not exceeding ten dollars for each person."

In order, Mr. Chairman, that there may be no mistake about the meaning of that clause of the Constitution, I send to the Clerk's desk, to be read, an extract from Elliott's Debates.

The Clerk read from Elliott's Debates, (late's Minutes,) pages 35 and 36, as follows:

"By the ninth section of this article, the importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited prior to the year 1808, but a duty may be imposed on such importation, not exceeding ten dollars for each person."

"The design of this clause is to prevent the General Government from prohibiting the importation of slaves, but the same reasons which caused them to strike out the word 'national,' and not admit the word 'slaves,' influenced them here to guard against the word 'slaves.' They anxiously sought to avoid the admission of expressions which might be odious in the ears of Americans, although they were willing to admit into their system those things which the expression signified; and hence it is that the clause is so worded, as really to authorize the General Government to impose a duty of ten dollars on every foreigner who comes into a State to become a citizen, whether he comes absolutely free, or qualified so as a servant, although this is contrary to the design of the framers, and the duty was only made to extend to the importation of slaves."

pp. 26.
 "This clause was the subject of a great diversity of sentiment in the convention; as the system was reported by the Committee of Detail, the provision was general, that such importation should not be prohibited, without confining it to any particular period. This was rejected by eight States; Georgia, South Carolina, and I think North Carolina, voting for it.

"We were then told by the delegates of the two first of those States, that their States would never agree to a system which put it in the power of the General Government to prevent the importation of slaves, and that they, as delegates from those States, must withhold their assent from such a system.

"A committee of one member from each State was chosen by ballot to take this part of the system under their consideration, and to endeavor to agree upon some report which should reconcile those States; to this committee also was referred the following proposition, which had been reported by the Committee of Detail, namely: 'No navigation act shall be passed without the assent of two-thirds of the members present in each House;' a proposition which the staple and commercial States were solicitous to retain, lest their commerce should be placed too much under the power of the eastern States, but which these last States were anxious to reject. This committee, of which also I had the honor to be a member, met and took under their consideration the subjects committed to them. I found the *eastern* States, notwithstanding their *aversion to slavery*, were very willing to indulge the southern States at least with temporary liberty to prosecute the *slave trade*, provided the southern States would in their turn gratify them, by laying no restriction on navigation acts, and after a very little time, the committee, by a great majority, agreed on a report, by which the General Government was to be prohibited from preventing the importation of slaves for a limited time, and the restrictive clause relative to navigation acts was to be omitted."

Mr. LANDRUM. Now, Mr. Chairman, we are asked to legislate to exclude slavery from the Territories, because slavery is a moral wrong, because it is a sin against God, and because it is a crime against humanity. And we are invoked to adopt that legislation by the example of our forefathers.

Now, what precedent do they furnish us in this clause of the Constitution? The Constitution of the United States did make regulations in regard to the slavery question. One of those regulations was to permit the African slave trade until the year 1808. Now, sir, was there anything so morally wrong in the African slave trade; was it any such crime against humanity as to deter the ancestors of those gentlemen from coming into a Union which permitted the African slave trade? Why, sir, Massachusetts, Connecticut, and New Hampshire, voted to extend the limitation against the prohibition of that traffic from 1800 to 1808. Does the honorable chairman of this committee (Mr. BUFFINGTON) blush for his ancestors because they knew so little of the primary truths of common morality, as expounded by the gentleman from Connecticut, (Mr. FERRY,) in the commencement of this debate, soon after the organization of this House, in voting such a provision as that?

The State of Massachusetts was a sovereign State before she entered into this Confederacy, unabridged by any limitation. She could have prevented her citizens then, as the United States does now, from participating in the slave trade even between foreign ports in foreign nations; and yet your ancestors not only voted with South Carolina and Georgia, who refused to come into the Union unless the African slave trade was permitted so long as they desired it, but in coming into that Union, it gave to the citizens of Massachusetts, too, a like authority to engage in that trade.

What a sin against God, what a crime against humanity, did these Massachusetts legislators vote to perpetuate! And yet, I imagine, the honorable Chairman is proud of his ancestors; and we are told now that because we will not join you in the hue-and-cry against slavery, and do not legislate to exclude slavery from the Territories, we are the authors of the evils with which the country is afflicted. You are not satisfied with our silence, our inaction; you say that we want to perpetuate a crime against humanity, and have departed from the lesson of wisdom inculcated by our ancestors.

Sir, I believe in the teachings of the ancient patriots. I take their precedents, and although not now in favor of the reopening of the African slave trade, because it is inexpedient, (though, as I do not consider the question before the country, I confess I have not studied it,) yet I venerate those legislators who sacrificed their prejudices in order that they might get South Carolina and Georgia into the Union, who refused to come in without it.

The gentleman from Connecticut, who first opened this debate, and who, I believe, is not now in his seat, remarked in his speech, that evil, disguised in whatever form it might be, would only produce evil; and therefore you must first lay down a moral code, and no matter what results it apparently leads you to, you must never violate it. Sir, his ancestors told a different tale. They said, in admitting South Carolina and Georgia into the Union, that, although they objected to the slave trade, more good would be accomplished than by prohibiting the slave trade and losing those two States.

That is the policy which guided our ancestors; and now, what do we ask? What does the Democratic party ask? Do we ask this Government to legislate slavery into the Territories? We have never made any such demand. We have never yet asked anything of

this Government but to let it alone. And I assure you, that New Hampshire, Massachusetts, and Connecticut, voted to perpetuate the slave trade, and to give her citizens the right to engage in it from 1800 to 1808, by that clause in the Constitution which gives the citizens of each State the rights of the citizens of every other State. She relinquished the power which they had to forbid her own citizens from participating in the slave trade, and opened the door to them. That is what your ancestors did in the Constitution under which this Government was formed, and which is the basis of all its legislation. And yet, you can give no legislative encouragement to slavery; you must exclude it wherever you have the power to exclude it, not as a matter of policy—at least that is not the ground upon which you base your action—but because it is a moral wrong, and a crime against humanity.

But is that all the legislation in the Constitution about slavery? Why, sir, they inserted a clause in the Constitution authorizing the recapture of fugitive slaves when they entered the sovereign territory of these New England States which have now such an abhorrence of the doctrine. As the meaning of that clause has been a subject of dispute, I ask the Clerk to read a short extract from the debates in the Virginia convention which adopted the Constitution, in which Mr. Madison explained the meaning of it. I hope I shall be able to show that we have some first-rate pro-slavery legislation in the Constitution before I get through with this argument.

The Clerk read, as follows:

"At present, if any slave elopes to any of those States where slaves are free, he becomes emancipated by their laws. For the laws of the States are uncharitable to one another in this respect. But in this Constitution, 'no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.' This clause was expressly inserted to enable owners of slaves to reclaim them. This is a better security than any that now exists. No power is given to the General Government to interpose with respect to the property in slaves now held by the States. The taxation of this State being equal only to its representation, such a tax cannot be laid as he supposes. They cannot prevent the importation of slaves for twenty years; but after that period they can. The gentlemen from South Carolina and Georgia argued in this manner: 'We have now liberty to import this species of property, and much of the property now possessed has been purchased or otherwise acquired in contemplation of improving it by the assistance of imported slaves. What would be the consequence of hindering us from it? The slaves of Virginia would rise in value, and we would be obliged to go to your markets.' I need not expatiate on this subject. Great as the evil is, a dismemberment of the Union would be worse. If those States should disintegrate from the other States, for not including them in the temporary continuance of this traffic, they might solicit and obtain aid from foreign Powers."

Mr. LANDRUM. Yes, Mr. Chairman, those were the motives that influenced the framers of the Constitution. The several States of New England which, according to the testimony of Mr. Madison, had up to that time refused to deliver up fugitive slaves, voluntarily renounced the right of prohibiting it, and voted that the slave-catcher should have authority to enter therein, and carry back his slave to bondage. Do I want any better pro-slavery men than these? Where, sir, was this notion of "a sin against God and a crime against humanity" when they voted for that clause?

I will again refer to the remark of the gentleman from Connecticut, which I know he will not apply to his ancestors in Connecticut who voted for this pro-slavery provision—that "evil, disguised under whatever form it may be, can be productive only of evil." He would not denounce his ancestors as hypocrites because they left out of the Constitution the word "slave;" for Mr. Roger Sherman says that the expression was objectionable "to ears polite," I suppose. Mr. Madison and Mr. Yates tell us what they meant by the description "held to service or labor." I know the gentleman would not say that his ancestors were disguising in a particular name an evil, and thereby adopting it.

No, sir; slavery was a good thing; but it had a bad name, according to the polite phraseology of the day, and, knowing that "a rose by any other name would smell as sweet," they changed the term "slave" to that of a "person held to service or labor."

But, sir, in regard to this African slave trade provision, it was esteemed so important that, although provision was made for an amendment to the Constitution, applying to almost everything else within its compass, except, I believe, to the clause, that no State should be deprived of her equal representation in the Senate without her consent, this precious article of the slave trade clause was not to be interfered with, under any circumstances, prior to the year 1808.

I think, Mr. Chairman, I have disposed of the religious argument, the moral argument, the conscience argument against slavery, derived from the lessons taught by the example of our forefathers. Do not tell me any more that Mr. Madison thought slavery was an evil; because these thoughts controlled not the action of his public position. Do not tell me that Washington and Jefferson were opposed to slavery abstractly, after that; because we find even New England men, with all their prejudices, as good pro-slavery men as South Carolina

and Georgia wanted—for they were the only States that made a question on this African slave trade. Whatever future congressional protection to property may become necessary, all that we have ever yet asked, Mr. Chairman, is that Congress shall not legislate at all on the question of slavery in the Territories. But your patriotic forefathers did legislate. They legislated to protect the African slave trade. They gave permission to the citizens of Massachusetts to enter into the slave trade along with the citizens of South Carolina and Georgia, and they gave us a fugitive slave law. That is the sort of legislation which they gave us in the Constitution, which is the basis of the Government under which we live.

There are other clauses in the Constitution, sir, which show that this matter of slavery was not neglected. In the apportionment of direct taxation and representation, it was stipulated that three-fifths of the slaves should be represented on this floor. They were noticed, and noticed as a degraded class, as unequal to free men; because, if they had been considered equal to free men we would have been entitled to full representation for them on this floor. But, sir, they were treated as a degraded class—as a class unequal to free men. Their masters were given a representation in this House in proportion to three-fifths of their numbers, and the direct taxation was to be assessed at the same ratio on the slave States. Now, I allude to this subject, not to show boastingly, as it has been said on this floor, that we have a slave representation here. In that very provision of the Constitution the people of the northern States derived all the advantage—the people of the southern States all the loss; for no money, scarcely, has ever been raised by direct taxation. The money for the support of the Government is collected in an entirely different manner. If taxes were assessed on that principle, by a system of direct taxation, we would have derived some benefit from the three-fifth provision; but, as it is, you derive all the advantage, and we none of it.

The principle which governed the convention in inserting that provision was the belief that this was the proportion in which the labor of the slave contributed to the wealth of the country, comparatively to that of the free man; and as, according to the political doctrines of that day, taxation and representation went hand in hand, and as a slave produced only three-fifths as much annual income as a free man, their masters were only entitled to that much representation. So it is in the electoral college. There the slaves are enumerated in the same proportion, and their masters are deprived of a voice to that extent.

In that connection I want to have read the opinions of a venerable gentleman, whose authority will not be disputed upon this floor by the Republican party—the opinions of Mr. John Adams. The Clerk will read from the Madison Papers, page 29. . . *

The Clerk read, as follows:

"Mr. John Adams observed, that the numbers of people were taken by this article as an index of the wealth of the State, and not as subjects of taxation. That as to this matter it was of no consequence by what name you called your people, whether by that of free-men or of slaves. That in some countries the laboring poor were called freemen, in others they were called slaves; but that the difference as to the State was imaginary only. What matters it whether a landlord employing ten laborers on his farm gives them annually as much money as will buy them the necessaries of life, or give them those necessities at short hand? The ten laborers add as much wealth annually to the State, increase its exports as much, in the one case as the other. Certainly five hundred freemen produce no more profits, no greater surplus for the payment of taxes, than five hundred slaves. Therefore the State in which are the laborers called freemen, should be taxed no more than that in which are those called slaves. Suppose, by any extraordinary operation of nature or of law, one-half the laborers of a State could, in the course of one night, be transformed into slaves, would the State be made the poorer, or the less able to pay taxes? That the condition of the laboring poor in most countries—that of the fisherman, particularly, of the northern States—is as abject as that of slaves. It is the number of laborers which produces the surplus for taxation; and numbers, therefore, indiscriminately, are the fair index of wealth. That it is the use of the word 'property' here, and its application to some of the people of the State, which produces the fallacy. How does the southern farmer procure slaves? Either by importation or by purchase from his neighbor. If he imports a slave, he adds one to the number of laborers in his country, and proportionably to its profits and abilities to pay taxes; if he buys from his neighbor, it is only a transfer of a laborer from one farm to another, which does not change the annual produce of a State, and therefore should not change its tax; that if a northern farmer works ten laborers on his farm, he can, it is true, invest the surplus of ten men's labor in cattle; but so may the southern farmer working ten slaves. That a State of one hundred thousand freemen can maintain no more cattle than one of one hundred thousand slaves; therefore they have no more of that kind of property. That a slave may, indeed, from the custom of speech, be more properly called the wealth of his master, than the free laborer might be called the wealth of his employer; but as to the State, both were equally its wealth, and should therefore equally add to the quota of its tax."

"Mr. Garrison proposed, as a compromise, that two slaves should be counted as one freeman. He affirmed that slaves did not do as much work as freemen, and doubted if two effected more than one. That this was proved by the price of labor, the hire of a laborer in the Southern Colonies being from £8 to £12, while in the Northern it was generally £24."

Mr. LANDRUM. If we had a representation on this floor, as we ought to have, on a total population basis, we should have sixteen additional members, and the same additional number in the electoral college.

Well, sir, the Republican party has attempted to incorporate an additional provision into the Constitution. Those clauses which have especially provided for African slavery it is impossible to repeal; but into those where slavery is not mentioned, they have attempted to interpolate a new clause. The Constitution has provided that new States may be admitted into the Union. In a Confederacy of one-half slave States and one-half free States, or nearly in that proportion, and when there is a provision in the Constitution that new States may be admitted into the Union, *without qualification*, one would naturally suppose that there would be no more restriction upon the admission of a slave State than upon the admission of a free State.

Yet, sir, gentlemen on the other side propose to construe the Constitution as if there were really there a restrictive clause against the admission of any more slave States. And when we oppose that step they turn around and say to us that we are the cause of all this excitement. It is they who have caused the trouble. Like the old English gentleman in the play, they say they are the best natured men in the world if we will only give them their own way. All they want is to be permitted to have their own way, and then there will be no excitement. We say that, as the Confederacy consisted originally of free States and slave States, each new State, when applying for admission, has the right to regulate the matter for herself. You, gentlemen of the other side, say that, unless the new State prohibits slavery, she shall not be admitted.

Look at another clause of the Constitution:

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property of the United States."

There is not a word there as to whether slavery shall be tolerated in these Territories or not.

Such are the views, Mr. Chairman, and such the example of our forefathers when they framed the Constitution. I take those examples of our forefathers, and their legislative action under it, for my precedents. I care not what their private opinions may have been; I want to know what their legislative conduct was when they were acting on oath, for they were men who regarded their oaths. They were men, sir, who did not believe that the Constitution they framed would be contrary to the higher law, and that it would be consistent with their oath of office to violate it.

Well, Mr. Chairman, what further was the action of the fathers under the Constitution of the United States. I will refer back to one memorable example which goes behind that instrument. In the treaty with the British Government it was stipulated that the British should not carry away any negroes or *other property* of the American citizens. John Jay, John Adams, and Benjamin Franklin signed that treaty; and this, sir, was the language they used:

The British "shall not carry away the negroes or other property belonging to the people of the United States."

Yet we are told that, according to the doctrine of our forefathers, there can be no such thing as property in man. The language I have quoted occurs first in the preliminary articles in 1782, and again in the treaty of peace which was signed in 1783.

Kentucky was admitted into the Union as a slave State, without objection, on the 1st of February, 1791. Now, if you had the right to exclude Missouri because she tolerated slavery, why did you not have the same right to exclude Kentucky? Why were conscientious scruples abandoned in the case of Kentucky, and the Territory of Virginia given, by the detaching of Kentucky, four Senators in the Senate of the United States, instead of two? Our forefathers—yours and mine—voted for the admission of Kentucky as a slave State. It will not do to say that slavery already existed in Kentucky; because, if slavery be a sin and a crime and a curse, then, according to your doctrine, it ought not to have been extended by giving the slave States additional representation and power in the Senate of the United States.

Why, sir, if it would have been bad faith to have excluded Kentucky, was it not bad faith to exclude Missouri? because in the ordinance establishing the territorial government of Missouri, in 1812, there was no Wilmot proviso, no prohibition of slavery? But slavery was permitted, as we ask it shall be permitted now; it was protected by the courts, and no compensation was urged within the Territory of Missouri, in regard to this question of slavery until she applied for admission into the Union. If your anti-slavery party, which I charge is the cause of all the evils with which this country is afflicted, was right then in excluding Missouri, because she did not abolish slavery, your forefathers were wrong in admitting Kentucky. Either they were wrong and you are right, or you are wrong and they were right. Between the two I have no hesitation in my choice. Regarded as patriots, regarded as intelligent men, considered as men who regarded their oaths, I have no hesitation in saying I believe they were equally as honest as the Republican party of the present day.

In 1793 they gave us the fugitive slave law, there being only seven votes in opposition to it, and some of those were from the South, I think—a law, which if we attempt to en-

force in the northern States we are met by mobs, and bloodshed frequently follows. No southern man dares go into some portions of the northern States and attempt to execute this law, except at the peril of his life.

Such was the action of the founders of the republic, whose example we are constantly called upon to imitate. Tennessee was admitted in 1796, with slavery. The Territory of Mississippi was organized in 1798, by the application of the ordinance of 1787 to that Territory, and the restriction as to slavery removed. That was legislation under the Constitution. These are the precedents we are to follow; and we are not to go behind the Constitution and follow the precedent of 1787, when the relation of the States to each other was entirely different from what it is now under the Constitution.

Ah! but you say, Mr. Jefferson thought slavery was a great wrong. But the acquisition of Louisiana in 1803 was a great right. Mr. Jefferson was then President of the republic. He represented the people of the free States, and he represented the people of the slave States; and no matter what his private opinion might have been upon the question of slavery, or upon the question of religion, or upon any other question, we, as legislators sitting in this Hall, acting under oath, as he did, have nothing to do with your private opinions upon the subject; but we have something to do with your legislative action: and I call upon you, acting under oath, as Jefferson did, to imitate his example. He acquired Louisiana through the instrumentality of Livingston and Monroe, who signed the treaty. Slavery existed in the Territory of Louisiana by the treaty by which she was acquired, and by that her inhabitants were guaranteed their rights of property.

Louisiana was admitted into the Union, in 1812, as a slave State. I know that specious objections are made in these cases. The objection has been made that in Tennessee, in Kentucky, and in Mi-sissippi, slavery already existed; but, acting upon the principle upon which gentlemen here propose to legislate, that whatever is wrong and evil can produce nothing but evil—and you must follow it to its results, no matter where it leads you—no question of policy can be entertained. Why did these eminent opponents of slavery, as they are called, and to whose opinions we are constantly referred, increase the slave power, and encourage slavery aggression, as you term it? The only aggression slaveholders have ever made upon the free States is a demand that they should let this matter alone. Why do not members of Congress, assembled within these Halls, imitate the legislation of these men? I assure you, there was no such restrictive legislation in the Constitution, nor under the Constitution, up to 1820: for in 1813, under the administration of Madison, I believe, slaves were recognized as property, and taxed by the Government; and in 1814, in the treaty of peace with Great Britain, it is again expressly stipulated that all slaves and other *private property*—I use the very language of the treaty—in the possession of either of the belligerent parties, should be returned to the other, which shows that they had no constitutional or conscientious scruples against *protecting* slave property.

And yet we are told that we are the cause of all these mischiefs, because we do not join with you in the declaration that there can be no such thing as property in man; and that we have departed from the example of our forefathers in not joining in that declaration. Sir, I would not use an unparliamentary phrase: I would not say one word calculated to widen the breach which now exists between the different members of this Confederacy, for God knows no one deprecates it more than I do; but I do say that intelligent gentlemen who stand upon this floor and make that declaration, ignore the whole legislation of this Government, from the formation of the Constitution up to the Missouri difficulty, in 1820. I say, if they are familiar with the legislative acts of their forefathers, they must know they are uttering that which is not true, when they say their example teaches us that we should oppose slavery in every shape and form in which we have legislative power.

Mississippi was admitted into the Union in 1817, and no objection was raised that she was a slave State. But it was in 1819–20 that the struggle began for which you propose to hold us responsible. Why, sir, after the Government had gone on thirty years without question, having never asked, when a State applied for admission, whether she was free or whether she was slave; while the whole country was living in harmony and brotherly love and affection; while the southern State was proud of the prosperity and happiness of the northern State, and the people of the northern States rejoiced at the prosperity of the people of the South, this hydra-headed monster of anti-slavery was then first produced; and from that day to this, it may be said,

"Black it stood as night,
Fierce as ten furies, terrible as hell,"

and has shaken the bonds of this Union from one end to the other.

What was the cause of the agitation of 1820? After you had encouraged the citizens of Virginia and Kentucky and other States to settle in Missouri, by protecting slave property in the courts of justice, you turned round and said that Missouri should not be admitted unless she relinquished the right thereafter to hold slaves; and you kept her out of the Union for one year. The South, with that compromising and generous spirit which has ever characterized them—I say so in no spirit of egotism, for I am describing the people whom I represent—came forward and executed that memorable relinquishment, agreeing that slavery should not go north of $36^{\circ} 30'$ if you would permit Missouri to come into the Union. While we have voted for the admission of free State after free State, without

making it a question; while we were then ready to vote for the admission of Maine, you turned round and ungenerously—what your motives may have been God only knows; whether to promote your political power or not it is not for me to say—barred Missouri coming into the Union unless she relinquished the right to hold slaves.

Now, sir, who departed from the lessons of wisdom taught by the fathers of the republic? Most of them slept in their tombs, much wiser and purer and holier men (in their own estimation) had supplanted them; and in the sin against God and the crime against humanity "had to be blotted from Missouri, or she could find no place in the Union."

However, you made a good trade, and then the objection to the "sin against God and the crime against humanity" was waived for a consideration. You excluded the people of the South from all the territory north of lat. 36° 30', and then Missouri was admitted into the Union with slavery.

[Here the hammer fell.]

Mr. LANDOLPH M. I would thank the Committee to extend my time for ten minutes longer.

General assent was given.

Mr. LANDOLPH M. I shall have to pass over a number of points which I should have liked to touch on, and will only make this remark: that having all the time a majority in the House of Representatives, and having secured an ultimate preponderance in the Senate, you passed the tariff bills of 1821 and 1828, in which the southern section, now securely in the minority, were to be made tributary to promote and pamper the industry of the North. Then came the opposition to the annexation of Texas, because it was a slave State. Then came the Wilmot proviso for Oregon, and for the territory acquired from Mexico. Then followed the struggle of 1850, when you boldly inscribed on your banner, "No more slave States to be admitted into the Union." At all events, you insisted on "prohibition to slavery in the Territories," and announced that our system of labor was a "twin relic of barbarism" with polygamy. Then followed the amendment in the platform of a great popular party, which struggled almost successfully for the government of the country, that the whole people of the South who owned slaves were living in that state of pollution and degradation which characterizes the polygamist.

Yet we are told that we are the cause of all the trouble, because we do not join in the hiss-and-cry. Now, sir, what is the state of parties? The greatest man, perhaps, of the Republican party—certainly the greatest in influence, and the one whose prospects are first for the Presidency—has declared that the three billions of property which we own must be destroyed, stating that "you and I must do it," meaning that it must be done by the present generation. Then follows the resolution of the gentleman from Ohio, [Mr. BROWN.] voted for by sixty members of the House, declaring that slavery ought to be abolished wherever the Government has the power to do it.

The gentleman from Connecticut [Mr. FANNY] will recollect his declaration that some of us may live to see the day when this Confederacy may consist of fifty sovereignties; and when that day comes, it will be their duty, according to the principles of the Republican party, to change the Constitution and to abolish slavery. And yet gentlemen seem to wonder that the people of the South are talking about new guards for their safety. Sir, the maxim laid down by Jefferson, that governments should not be abolished for slight or transient causes, is most true; but no less true is the maxim that a people are always disposed to endure evils so long as they are endurable, rather than risk themselves by abolishing the forms to which they are accustomed. Sir, what may be the action of Louisiana, in any contingency that may arise, it is not for me to state.

I believe that the people of my State have too much at stake to attempt to change their present institutions, or to make any new arrangement for slight or transient causes. We have an immense wealth, a vast commerce, a city trading with all the States of the Union, whose forests of masts, from which float the flags of all nations, denote that her commerce is co-extensive with the globe. The levee of her commercial emporium literally trembles, in a frontage of nine miles, beneath the superincumbent masses of merchandise. Reluctantly, most reluctantly, would that people take any steps which by possibility could involve us in civil war and commotion; and great, indeed, must have been their apprehension when they adopted, in convention, March 15, 1860, the following resolution:

"That, in case of the election of a President on the avowed principles of the Black Republican party, we concur in the opinion that Louisiana should meet in council her sister slaveholding States, to consult as to the means of future protection."

- I have said, that I am mistaken, when I state that no action will be taken under that resolution, except on the most mature deliberation. But, sir, whenever the people of Louisiana believe that their institutions are in danger, and that it is the deliberate purpose of those who may get control of the Government to spread over them that dark and benighted pall which hangs like an incubus over the Central and South American republics and the West India Islands that have emancipated their slaves, I tell you they will act, and act effectually, too, for their protection and security. And whatever course the majority of her people may choose to take, her sons will sustain it with their lives, their fortunes, and their sacred honor.



